

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Case No. 09-71355-ast

Scott A. Lake,

Chapter 11

Debtor.

-----X  
Scott A. Lake,

Adv. Proc. 09-8199-ast

Plaintiff,

-against-

James A. Ditanna, d/b/a  
American Financial International Group, and  
"John Does 1-10", "Mary Does 1010",  
"ABC Partnerships 1-10", and/or  
"XYZ Corporations 1-10" (the last four names  
being names unknown to Plaintiff, and are  
intended to be any other parties who are  
transferors, transferees or beneficiaries of  
any of the conveyed assets described in the  
Complaint, and who gave no, or less than  
fair, consideration for such assets.

Defendants.

-----X

**SECOND ORDER TO SHOW CAUSE**  
**(For Failure to Prosecute)**

WHEREAS, the above-captioned adversary proceeding was commenced on May 21,  
2009 ; and

WHEREAS, the Summons and Complaint were served on Defendant(s) on May 22,  
2009 ; and

WHEREAS, a Supplemental Summons and Complaint were served on Defendant(s) on  
September 24, 2009

WHEREAS, Defendant(s) have failed to file an Answer; and

WHEREAS, Plaintiff has failed to file a motion for default judgment; it is

ORDERED, that the parties appear before the undersigned on the **January 13, 2010, at 10:30 a.m.**, at Courtroom 960, United States Bankruptcy Court, The Alfonse M. D'Amato U.S. Courthouse, Central Islip, New York, to show cause why this adversary proceeding should not be dismissed for failure of the Plaintiff to prosecute the action; and it is further

ORDERED, that if no one appears at the hearing, or if Plaintiff does not provide an adequate reason for no action having been taken in this adversary since service of the Summons and Complaint, the adversary proceeding will be dismissed without further notice.

**Dated: December 21, 2009**  
**Central Islip, New York**



A handwritten signature in black ink, appearing to read "Alan S. Trust".

---

**Alan S. Trust**  
**United States Bankruptcy Judge**

Service List:

Kenneth A Reynolds, Esq.  
McBreen & Kopko  
Attorney for Plaintiff

James A. Ditanna  
d/b/a American Financial International Group  
c/o Heskett & Heskett  
501 South Johnstone - Suite 501  
Bartlesville, OK 74003

James A. Ditanna  
2 Gold Street, PH-13  
New York, NY 10038

James A. Ditanna  
10 Liberty Street, Apt. 28-A  
New York, NY 10005